

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

BAYOU STEEL BD HOLDINGS, L.L.C., *et al.*,¹

Debtors.

GEORGE L. MILLER, in his capacity as
Chapter 7 Trustee for the jointly administered
bankruptcy estates of Bayou Steel BD
Holdings, L.L.C., *et al.*,

Plaintiff,

v.

BLACK DIAMOND CAPITAL
MANAGEMENT, L.L.C., *et al.*,

Defendants.

Chapter 7

Case No. 19-12153 (KBO)

(Jointly Administered)

Adv. No. 21-51013 (KBO)

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR HEARING
ON MAY 25, 2022 AT 11:00 A.M. (PREVAILING EASTERN TIME)
BEFORE THE HONORABLE KAREN B. OWENS**

PLEASE TAKE NOTICE: Until further notice, all hearings scheduled before Judge Owens will be conducted entirely over Zoom. All individuals participating by video must register at least 2 hours prior to the hearing at the provided link. You must register with your full name or you will not be permitted into the Zoom hearing.

Zoom link:

<https://debuscourts.zoomgov.com/meeting/register/vJItdCtqjouG4xZXZZfhnYZwtVV6DGJQCI>

MATTER GOING FORWARD:

I. *Miller v. Black Diamond Capital Management, L.L.C., et al.*, Adv. Proc. No. 21-51013 (KBO)

1. Complaint [Filed 8/11/2021, [Adv. Docket No. 1](#)]

¹ The Debtors in these chapter 7 cases, along with the last four digits of each Debtor's federal tax identification number, are: Bayou Steel BD Holdings, L.L.C. (1984), BD Bayou Steel Investment, LLC (1222), and BD LaPlace, LLC (5783).

2. Independent Directors' Motion to Dismiss [Filed 11/22/2021, [Adv. Docket No. 25](#)]
3. Opening Brief in Support of Independent Directors' Motion to Dismiss [Filed 11/22/2021, [Adv. Docket No. 26](#)]
4. Defendants Black Diamond Capital Management, L.L.C., BDCM Opportunity Fund IV, L.P., Black Diamond Commercial Finance, L.L.C, Sam Farahnak, and Phil Raygorodetsky's Motion to Dismiss [Filed 11/22/2021, [Adv. Docket No. 27](#)]
5. Memorandum in Support of Defendants Black Diamond Capital Management, L.L.C., BDCM Opportunity Fund IV, L.P., Black Diamond Commercial Finance, L.L.C, Sam Farahnak, and Phil Raygorodetsky's Motion to Dismiss [Filed 11/22/2021, [Adv. Docket No. 28](#)]
6. [SEALED] Declaration of William J. Trunk in Support of Motion to Dismiss [Filed 11/22/2021, Adv. Docket No. 29]
7. Proposed Order Dismissing Complaint [Filed 11/22/2021, [Adv. Docket No. 31](#)]
8. Plaintiff's Omnibus Memorandum of Law in Opposition to Defendants' Motions to Dismiss [Filed 1/24/2022, [Adv. Docket No. 35](#)]
9. Reply in Support of Defendants Black Diamond Capital Management, L.L.C., BDCM Opportunity Fund IV, L.P., Black Diamond Commercial Finance, L.L.C, Sam Farahnak, and Phil Raygorodetsky's Motion to Dismiss [Filed 2/28/2022, [Adv. Docket No. 46](#)]
10. Reply Brief in Support of Independent Directors' Motion to Dismiss [Filed 2/28/2022, [Adv. Docket No. 47](#)]
11. Request for Oral Argument [Filed 3/3/2022, [Adv. Docket No. 48](#)]
12. Request for Oral Argument [Filed 3/3/2022, [Adv. Docket No. 49](#)]
13. Notice of Completion of Briefing [Filed 3/10/2022, [Adv. Docket No. 50](#)]
14. Notice of Oral Argument on Defendants' Motions to Dismiss [Filed 3/28/2022, [Adv. Docket No. 51](#)]

Status: Oral argument on the Motions to Dismiss will be going forward.

Dated: May 23, 2022

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Peter J. Keane

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